

REMARKS

Reexamination and reconsideration the pending claims in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1-12, 23, and 24 are now pending in the application, with Claims 1, 23, and 24 being the independent claims. No new matter is believed to have been added.

Rejections Under 35 U.S.C. § 102

Claims 1-12 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent No. 6,181,987 (Deker et al.). This rejection is respectfully traversed.

In affirming the above-noted rejection, the Board of Patent Appeals and Interferences (the Board), in its decision, alleged that the processor of Deker et al. receives data representative of an air traffic control message signal. Moreover, in its response to applicant's request for rehearing, the Board emphasized that messages about events requiring a diversion correspond to "air traffic control messages as broadly claimed." The Board further stated, in its response to applicant's request for rehearing, that Deker et al. discloses, upon activation of the EXPLAIN command, "display[ing] a message that explains the reasons that a specific flight plan has been accepted or rejected. Because this display relates to a flight plan or an airport that has been accepted or not accepted, i.e., cleared or not cleared, it is a textual air traffic clearance message as broadly claimed."

In response to the above, applicant has amended independent Claim 1, and presented new independent Claims 23 and 24, to even more definitely and distinctly define the invention. In particular, independent Claim 1 is amended to more precisely indicate that the processor receives textual clearance message signals representative of the textual air traffic control clearance messages transmitted to the aircraft, and that the display displays the textual air traffic control clearance messages transmitted to the aircraft. No matter how broadly Deker et al. is construed, nowhere does that reference disclose, or even remotely suggest, receiving textual clearance message signals representative of textual air traffic control clearance messages transmitted to the aircraft and displaying the textual air traffic control clearances that were transmitted to the aircraft. Textual air traffic control clearance messages that are transmitted to an aircraft

have a defined meaning in the art. As such, these messages are not broadly encompassed by any message supplied to a processor about an event requiring a diversion.

As to independent Claim 23, this claim recites a transceiver that is adapted to receive an air traffic control signal transmitted from an air traffic control center, that the air traffic control signal includes data representative of a textual air traffic control clearance message, and that the transceiver is operable to demodulate the air traffic control signal and supply the demodulated air traffic control signal. This claim further recites a processor that is adapted to receive data representative of a current aircraft flight plan and the demodulated air traffic control signal, and that is operable, in response thereto, to supply one or more flight plan display commands and one or more textual clearance message display commands. This claim even further recites a display that is coupled to receive the flight plan display commands and the textual clearance message display commands and that is operable, in response thereto, to substantially simultaneously display one or more images representative of the current aircraft flight plan and the textual air traffic control clearance message.

It is submitted that Deker et al. fails to disclose, or even remotely suggest, that its transceiver (15) receives and demodulates an air traffic control signal that includes data representative of a textual air traffic control clearance message, let alone that the display (4) substantially simultaneously displays one or more images representative of the current aircraft flight plan and the textual air traffic control clearance message.

With respect to independent Claim 24, this claim recites the features of amended independent Claim 1, as well as a user interface and the display of a user interface field. It is thus believed that this claim is patentable for at least the same reasons as independent Claim 1.

In view of the foregoing, Applicant requests reconsideration and withdrawal of the above-noted § 102 rejections.

Conclusion

Based on the above, independent Claims 1, 23, and 24 are patentable over the citations of record. The dependent claims are also deemed patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

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By: /PAUL D. AMROZOWICZ/
Paul D. Amrozowicz
Reg. No. 45,264
(480) 385-5060